

6 July 2021

Sarah Lees
Director Regions – Southern
Department of Planning, Industry & Environment
PO Box 5475
WOLLONGONG NSW 2520

Dear Sir/Madam

**Requesting Amended Gateway Determination for a Planning Proposal –
PP_2019_KIAMA_004_01 - land south of Saddleback Mountain Road, north
of Weir Street and to the west of and immediately adjacent to the Princes
Highway KIAMA**

Council is recommended that the Minister for Planning and Public Spaces request the NSW Department of Planning, Industry and Environment to issue an amendment to the Gateway Determination received on 4 December 2019 to no longer proceed with Planning Proposal PP_2019_KIAMA_004_01 at land south of Saddleback Mountain Road, north of Weir Street and to the west of and immediately adjacent to the Princes Highway, Kiama.

Issues have been raised during State Agency consultation and public exhibition which remain unresolved. Council has concluded that the Strategic Merit and Site-Specific Merits of the proposal is no longer considered valid and should therefore no longer proceed.

At its Extraordinary meeting on 28 June 2021, Council endorsed the following recommendation:

21/163OC

Committee recommendation That Council write to the Minister for Planning and Public Spaces to:

1. Inform the Minister that the proponent lead Planning Proposal, PP_2019_KIAMA_004_00, for land south of Saddleback Mountain Road, north of Weir Street and to the west of and immediately adjacent to the Princes Highway now fails to satisfy the Strategic Merit and Site-Specific Merit Tests for the following reasons:
 - other initiatives have now been pursued by Council, some to completion, to meet projected housing needs identified in the Illawarra Shoalhaven Regional Plan. This includes:
 - the planning proposal for Henry Parkes Drive, Kiama Downs

- the planning proposal for 48 Campbell Street, Gerringong
 - completion of the Local Strategic Planning Statement and
 - the commitment to prepare and adopt a Local Housing Strategy by 30 June 2022
 - the proposal is inconsistent with Ministerial Directions 2.3 Heritage Conservation, 4.3 Flood Prone Land and 6.1 Approval and Referral Requirements
 - the amount of fill the proponent considers necessary to make the site suitable is excessive and completely outside Council's policy framework and provisions. The proposed cut and fill in fact suggests that the site is in not suitable for this level of development, noting the Southern Planning Panel's conclusion that the site would have site-specific merit through further refinement and reduction in initial yields (with no reduction of yields provided in this application)
 - there remains significant community opposition to the proposed development and this development is not deemed to be within the public interest
 - there also remains significant concerns relating to the following matters:
 - impacts on local educational facilities particularly Kiama High School and Primary School to be able to support the additional population resulting from this proposal
 - significant impacts on traffic and movement particularly the intersection between Saddleback Mountain Rd and South Kiama Drive and local roads leading from there to the Princes Highway. A full traffic assessment and modelling is still required and needs to be associated with Council's Kiama Traffic and Parking Study
 - reservations remain regarding the ability for the site to be serviced by Sydney Water, given lack of forward planning that has occurred by Sydney Water to date.
2. Recommend that the NSW Department of Planning, Industry and Environment issue an amended Gateway Determination to no longer proceed with PP_2019_KIAMA_004_01 to rezone multiple Lots between Saddleback Mountain Road, Weir Street and the Princes Highway, Kiama.

Supporting Information

The following information is provided to NSW DPIE:

1. Copies of the Council report and resolution endorsing the cancellation of the Planning Proposal.

Yours faithfully



Ed Paterson
Manager Strategic Planning